

TERMINAL DISCLAIMER TO OBIVATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING "REFERENCE" APPLICATION	Docket Number (Optional) 17243/003001
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In re Application of: Melwyn Abreo et al.

Application No.: 10/566,193-Conf. #5685

Filed: January 30, 2006

For: PYRIDYL DERIVATIVES AND THEIR USE AS THERAPEUTIC AGENTS

The owner*, Xenon Pharmaceuticals Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any

10/567,009 and
patent granted on pending reference Application Numbers 10/566,857, filed on January 30, 2006, as such term is defined in 35 U.S.C. 154 and 173, and as the term of any patent granted on said reference applications may be shortened by any terminal disclaimer filed prior to the grant of any patent on the pending reference applications. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference applications are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

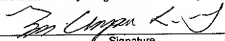
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2. ☒ The undersigned is an attorney or agent of record. Reg. No. 48,885



Signature

August 28, 2008

Date

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- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

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